NNY(Rev. 10/05) Judgment in a Criminal Case Sheet 1

UNITED STATES DISTRICT COURT

Northern	District of	New York			
UNITED STATES OF AMERICA V.	JUDGMENT I	JUDGMENT IN A CRIMINAL CASE			
Christopher Smith	Case Number:	DNYN505CR000347-005			
	USM Number: Laurence Wanger 333 E. Onondaga Syracuse, New Y (315)478-6551 Defendant's Attorney	Street, Suite 400			
THE DEFENDANT:	Berendan s ritterney				
x pleaded guilty to count(s) 1 of the Indictment on x	anuary 4, 2006.				
pleaded nolo contendere to count(s) which was accepted by the court.					
was found guilty on count(s) after a plea of not guilty.					
The defendant is adjudicated guilty of these offenses:					
Title & Section 21 U.S.C. § 846 Nature of Offense Conspiracy to Possess wit Marijuana	h Intent to Distribute and Distrib	oution of $\frac{\text{Offense Ended}}{7/12/05}$ $\frac{\text{Count}}{1}$			
The defendant is sentenced as provided in pages with 18 U.S.C. § 3553 and the Sentencing Guidelines.	2 through 6 of this	s judgment. The sentence is imposed in accordance			
\square The defendant has been found not guilty on count(s)					
☐ Count(s)	is are dismissed on the n	motion of the United States.			
It is ordered that the defendant must notify the Ur or mailing address until all fines, restitution, costs, and spethe defendant must notify the court and United States atte	ecial assessments imposed by this	ict within 30 days of any change of name, residence, judgment are fully paid. If ordered to pay restitution, nomic circumstances.			
	June 12, 2006 Date of Imposition	of Judgment			
	Voru	rud Marke			

Yorman A. Mordue

Chief United States District Court Judge

 $\begin{tabular}{ll} NNY (Rev.~10/05) & Judgment in a Criminal Case \\ Sheet 2 & --- Imprisonment \\ \end{tabular}$ AO 245B

DEFENDANT: Christopher Smith

CA

Judgment — Page	2	of	6
9			

DEPUTY UNITED STATES MARSHAL

CASE	E NUMBER: DNYN505CR000347-005
	IMPRISONMENT
	The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of:
	24 months.
X	The court makes the following recommendations to the Bureau of Prisons:
	The defendant participate in Residential Drug Treatment Program while incarcerated.
X	The defendant is remanded to the custody of the United States Marshal.
	The defendant shall surrender to the United States Marshal for this district:
	□ at □ a.m. □ p.m. on
	as notified by the United States Marshal.
	The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
	before 2 p.m. on
	as notified by the United States Marshal.
	as notified by the Probation or Pretrial Services Office.
	RETURN
I have	executed this judgment as follows:
	Defendant delivered on to
at _	, with a certified copy of this judgment.
	UNITED STATES MARSHAL

Case 5:05-cr-00347-NAM Document 203 Filed 06/20/06 Page 3 of 6

AO 245B NNY(Rev. 10/05) Judgment in a Criminal Case

Sheet 3 — Supervised Release

Judgment—Page 3 of 6

DEFENDANT: Christopher Smith

CASE NUMBER: DNYN505CR000347-005

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of:

3 years.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

- The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- x The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.
- x The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Deselect, if inapplicable.)
- The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month:
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement; and
- 14) the defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

AO 245B NNY(Rev. 10/05) Judgment in a Criminal Case

Case 5:05-cr-00347-NAM D	Document 203	Filed 06/20/06	Page 4 of 6
--------------------------	--------------	----------------	-------------

Judgment—Page 4 of 6

DEFENDANT: Christopher Smith

CASE NUMBER: DNYN505CR000347-005

SPECIAL CONDITIONS OF SUPERVISION

- 1. The defendant shall participate in a program for substance abuse which shall include testing for drug and/or alcohol use and may include inpatient and/or outpatient treatment. The program shall be approved by the United States Probation Office.
- 2. The defendant shall contribute to the cost of any evaluation, testing, treatment and/or monitoring services rendered in an amount to be determined by the probation officer based on the defendant's ability to pay and the availability of third party payments.

DEFENDANT'S ACKNOWLEDGMENTOF APPLICABLE CONDITIONS OF SUPERVISION

Upon a finding of a violation of probation or supervised release, I understand that the court may (1) revoke supervision, (2) extend the term of supervision, and/or (3) modify the conditions of supervision.

The conditions of supervision have been read to me. I fully understand the conditions and have been provided a copy of them.

Defendant	Date
U.S. Probation Officer/Designated Witness	Date

AO 245B NNY(Rev. 10/05) Judgment in a Criminal Case Sheet 5 — Criminal Monetary Penalties

Judgment — Page	5	of	6	

DEFENDANT: Christopher Smith
CASE NUMBER: DNYN505CR000347-005

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

TO'	TALS	\$	Assessment 100	\$	<u>Fine</u> Waived		Restitution N/A
			on of restitution is deferred such determination.	l until	An	Amended Judgment in a (Criminal Case (AO 245C) will
	The defend	dant	must make restitution (inclu	iding community	restitutio	on) to the following payees in	n the amount listed below.
	If the defer the priority before the	ndan y ord Unit	makes a partial payment, e er or percentage payment co ed States is paid.	each payee shall r olumn below. Ho	eceive an owever, p	approximately proportioned oursuant to 18 U.S.C. § 3664	payment, unless specified otherwise in k(i), all nonfederal victims must be paid
<u>Nar</u>	ne of Paye	2		Total Loss*		Restitution Ordered	Priority or Percentage
TO	TALS		\$		\$_		
	Restitutio	n am	ount ordered pursuant to pl	ea agreement \$			
	The defenday after delinquen	dant the d cy a	must pay interest on restitut ate of the judgment, pursuan ad default, pursuant to 18 U	ion and a fine of not to 18 U.S.C. § 3 J.S.C. § 3612(g).	nore than 3612(f).	\$2,500, unless the restitution All of the payment options or	or fine is paid in full before the fifteenth a Sheet 6 may be subject to penalties for
	The court	dete	rmined that the defendant d	loes not have the	ability to	pay interest and it is ordered	l that:
	☐ the in	nteres	t requirement is waived for	the fine	_ re	stitution.	
	the ir	nteres	t requirement for the	fine □ re	stitution i	is modified as follows:	

^{*} Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

 $NNY (Rev.\ 10/05)\ Judgment\ in\ a\ Criminal\ Case$ Sheet 6 — Schedule of Payments AO 245B

Judgment — Page 6 of

DEFENDANT:

Christopher Smith DNYN505CR000347-005 CASE NUMBER:

SCHEDULE OF PAYMENTS

Hav	ing a	ssessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:
A	X	In full immediately; or
В		Lump sum payment of \$ due immediately, balance due
		□ not later than, or □ in accordance with □ D, □ E, □ F, or □ G below; or
C		Payment to begin immediately (may be combined with \Box D, \Box E, or \Box G below); or
D		Payment in equal (e.g., weekly, monthly, quarterly) installments of \$ over a period of (e.g., months or years), to commence (e.g., 30 or 60 days) after the date of this judgment; or
E		Payment in equal (e.g., weekly, monthly, quarterly) installments of \$ over a period of (e.g., months or years), to commence (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
F		Payment during the term of supervised release will commence within (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
G		Special instructions regarding the payment of criminal monetary penalties:
Unlimp Res Str e can vict	ess the prison ponsieet, Sonot be im is	ne court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during ment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial ibility Program, are made to Lawrence K. Baerman, Clerk, U.S. District Court, Federal Bldg., P.O. Box 7367, 100 S. Clinton yracuse, N.Y. 13261-7367, unless otherwise directed by the court, the probation officer, or the United States attorney. If a victim e located, the restitution paid to the Clerk of the Court for that victim shall be sent to the Treasury, to be retrieved if and when the located.
The	defe	ndant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.
	Join	nt and Several
		Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.
		The Court gives notice that this case involves other defendants who may be held jointly and severally liable for payment of all or part of the restitution ordered herein and may order such payment in the future.
	The	defendant shall pay the cost of prosecution.
	The	defendant shall pay the following court cost(s):
	The	defendant shall forfeit the defendant's interest in the following property to the United States:
Pay inte	ment	s shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal,(5) fine (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.